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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,

Plaintiff,

v.

GOOGLE INC.,

Defendant.

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Attorneys For Defendant
GOOGLE, INC.

Case No. CV 10-03561 WHA

**STIPULATION FOR ADMISSION OF
CERTAIN DOCUMENTS**

Dept.: Courtroom 8, 19th Floor
Judge: Hon. William H. Alsup

STIPULATION

WHEREAS, Google has agreed to the admission of certain documents and not to call former Google employee Mr. Henrique de Castro as a witness at trial in exchange for Oracle not deposing Mr. de Castro and not calling Mr. de Castro as a witness at trial;

NOW, THEREFORE, the Parties AGREE AND STIPULATE that:

- (i) If Oracle offers any of the following documents, identified here by beginning Bates number, into evidence at trial, Google agrees not to object on any ground to the document's or documents' admission:
 - i. GOOGLE-23-00000049
 - ii. GOOGLE-32-00022164
 - iii. GOOG-00585384
 - iv. GOOGLE-62-00006813
 - v. GOOG-00585682 and attachment GOOG-00585684
 - vi. GOOG-00308992
 - vii. GOOG-00599571 and attachment GOOG-00599572.R¹
 - viii. GOOG-00599603
 - ix. GOOG-00601939 and attachment GOOG-00601945
 - (ii) Both Oracle and Google agree not to depose Mr. de Castro and not to call him as a witness at the trial currently scheduled for May 9, 2016.
 - (iii) Oracle and Google agree that any disagreement about Google's redactions or Google's withholding of documents for privilege is independent of and not addressed by this stipulation and, to the extent any right exists, it is not waived by virtue of this stipulation.
 - (iv) Google believes that it has produced or logged as privileged all responsive documents from Mr. de Castro's custodial files. Although it is not anticipated, should any other additional relevant de Castro documents be identified and produced, the parties will discuss whether to add any of those additional

¹ This Bates number refers to the fully un-redacted version of this document.

1 documents to this stipulation, and any other relief that may be warranted, at that
2 time.

3 Dated: February 5, 2016

4 BOIES, SCHILLER & FLEXNER LLP

5 */s/ Steven Holtzman*
6 STEVEN HOLTZMAN

By: Attorneys for Plaintiff
ORACLE AMERICA, INC.

7 Dated: February 5, 2016

8 Keker & Van Nest LLP

9 By: */s/ Matthias Kamber*
10 MATTHIAS KAMBER
Attorneys For Defendant
GOOGLE, INC.

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ATTESTATION OF CONCURRENCE

I, Steven Holtzman, the ECF User whose ID and password are being used to file this Joint Stipulation For Admission of Certain Documents, hereby attest that Matthias Kamber has concurred in this filing.

Dated: February 5, 2015

By: /s/ Steven Holtzman
STEVEN HOLTZMAN